

"POLICE MEMORIES" AT TRIAL

WITNESSES FORGET ABOUT BARBARA REIG SHOOTING.

Justice Asks One If He's Been Drinking and He Can't Remember Even That.

—Ex-Policeman Sheppard's Trial Retarded—His "Confession" Is Read.

The trial of ex-policeman David Sheppard for the murder of Barbara Reig in Irving Square Park, Williamsburg, on July 22, last, continued yesterday before Justice Crane and a jury in the Supreme Court, Brooklyn, amid a maze of faulty and fast crumbling memories. Assistant District Attorney Roy, who on the previous day had tried to get from Police Officer Hahnemann, Kohler and Rickett something besides blank looks and faltering answers, turned yesterday with apparent relief to Charles Kiehlman, proprietor of a saloon at Hamburg and Halsey street, but told him before he got through forgetting that he had a police memory and was quickly qualifying for the force. Justice Crane was so much impressed with the man's mental helplessness that he asked him if he had been drinking. The witness started a titter by asking failing to remember.

Kiehlman couldn't say positively whether he had seen Sheppard on the night in question, although he confessed a friendship that later induced him to visit the policeman in his cell. And he experienced great distress in identifying Kohler as the policeman who asked him to reopen his saloon that he might notify Police Headquarters of the finding of a dead woman in the park.

Kiehlman said that when he visited Sheppard in the Raymond street jail about three weeks ago he had said, "Howdy do," and only that. Mr. Roy wanted to know if he thought the jail was a deaf and dumb asylum. It was in this man's saloon that Sheppard was cleaned out by his revolver with a handkerchief and was after the woman had shot herself with it. Kiehlman stubbornly denied that he saw him enter the saloon or clean the gun in the saloon.

"Charles Howells of 821 Halsey street, who was standing with Kiehlman in front of the saloon when Kohler ran up requesting the use of the telephone, also had a 'police memory'."

Patrolman Nick, now attached to the Rockaway station, said that he, Kohler, and Sheppard were in the saloon looking for ten minutes following the discovery of the body, that they had looked for the missing gun during that time, and that he was the only one who spoke, having remembered that "there had to be a gun there."

Nick said that Kohler, not Sheppard, found the body and that Sheppard told him he ran to Kohler's assistance in an attempt to repeat rape, and denied having heard any shots.

Dr. Samuel Dana Hubbard, an examining physician for an accident insurance company, testified that Barbara Reig could have fired the shot that killed her, as three of her fingers were stiff and practically useless. But she had the use of the thumb and index finger of that hand.

Mrs. Mary Thompson, Barbara Reig's sister, said that the dead girl had had practically no use of her right hand—that she could not hold a knife in it and could not hold a glass.

She said that Barbara usually spoke of Sheppard as "Dave" and that he addressed her as "Barb."

Coroner's Physician Wuest was inclined to believe that the girl committed suicide. He said he had examined the stained skin on the knuckles of the disabled hand, that she "must have fired the shot if she killed herself—and found that they were powder stains. He said the later he, Capt. Carey of the homicide bureau and two other officers, had been discharged with contact and had found that the flares had blackened the knuckles. Dr. Wuest said that the wound in the girl's head was a contact wound, the muzzle of the revolver having been tightly against the head at the time of discharge.

Mr. Roy's hope that they would get something from the police which had been expressed by Lieut. David Kane told things that have never come out before. He said that the body was not just as found when they found it, but that previous testimony to the contrary; that he met the wagon removing the body as he was going up Hamburg avenue, two hours after the shooting, and was in charge of the detail at the house, and that he ordered it back. He said that Sheppard had told him that he didn't know the girl.

Sheppard told Capt. John "Tommy" Wormald the same thing when they returned from his vacation on the morning of July 23, hurried to the park. Capt. Wormald said that he took Sheppard to Inspector Husey's office, at 133 Broadway, Brooklyn, where he made his confession before himself and Capt. Carey, following Inspector Husey's charge that he knew more of the affair than he was telling.

Justice Crane said, "Yes, she shot herself with my gun."

The confession was then read and admitted as evidence.

TO STOP AMBULANCE CHASING.

Mr. Whitridge Would Make Lawyers Liable for the Costs.

Frederick W. Whitridge, the receiver for the Third Avenue Railroad Company, has appealed to the Public Service Commission to assist him in having the Legislature pass a law which he thinks will do away with a large percentage of the suits for damages brought against the street railroad companies. Mr. Whitridge proposes to discourage "a class of lawyers who make it a regular business to seek to promote claims against the railroad companies by the use of the courts, which runs as high as 50 per cent, and is seldom less than 20 per cent, of the amount recovered, by making responsible for the costs lawyers who take cases on a contingent fee basis. In his communication to the board Mr. Whitridge said:

"I believe in every civilized country it is the rule that a plaintiff who goes into court and is defeated is responsible for costs. In most countries that rule is strictly enforced, and the expense to which the defendant has been put by reason of litigation, in this State it is, however, almost entirely ignored. By the code, which never exceeds \$50 or \$75. So long as an attorney is at liberty to take any sort of a case and subject the railroad to the expense of defending it, many cases are brought which are not meritorious, and a considerable number which are positively fraudulent, and it seems to me to be just and fair to hope it will seem so to the public that an attorney who has a large interest in the claim should be liable for the costs in case he is defeated and his client cannot pay the same, and that the law should be so amended that I am now proposing would shift the claims which are brought against the railroad and the expense of defending it, the bringing of many which are fraudulent."

The committee will consider the matter at the full meeting of the board on Friday.

New Coadjutor Bishop of Syracuse.

Syracuse, N. Y., Jan. 19.—Mgr. John Grimes, rector of the Cathedral of the Immaculate Conception, was notified today of his selection by the consistory at Rome as Coadjutor Bishop of the Syracuse diocese. News of the appointment came in a telegram to Bishop Patrick A. Ludden, from Mgr. Falconio, the apostolic delegate at Washington. Mgr. Grimes was born in County Limerick, Ireland, December 18, 1853.

Orlando P. Byrne Drops Dead.

Orlando P. Byrne, employed by a financial paper known as the *Financier*, with offices in the Hamilton Building, at 22 Thames street, dropped dead of heart failure in front of a bakery at 119 Greenwich street last night.

JEWISH FARMERS TROUBLES.

Can't Dispose of Their Produce Is One—The Boarder Question.

The conference of Jewish farmers which began on Monday at the Educational Alliance with twenty-seven delegates, representing nearly 2,000 farmers in New York, Massachusetts, Connecticut and New Jersey, continued yesterday, with morning, afternoon and evening sessions. Most of the time was spent in discussing the problems which these farmers have to face in raising and marketing their products, but a part of the afternoon was devoted to forming a permanent organization. One question discussed was whether or not it pays them to take in boarders. Most of the farmers thought not and agreed that this last proposition was not a successful undertaking, either because the average boarder was a shiftless sort of person or because he gave more trouble than he was worth.

One delegate from Connecticut complained that he could find no market for the tomatoes and cucumbers which he raised in his neighborhood, but that he was in his neighborhood had their own source of supply. The same trouble was mentioned by a farmer from up State in disposing of milk. He said that the large companies of the big cities made it impossible for the independent milk dealer to sell his product in the city markets. There were more grievances of the small dealer against the monopolist, and then Mr. Weinstein of Montville, Conn., secured the floor and remarked:

"Why is it that everybody should tell his own troubles? I make a motion that a committee be appointed to listen to all their stories and then give the conference what they hear." The proposal was adopted without disagreement.

These permanent officers were chosen: Samuel P. Becker of Hartford, president; Samuel Hein of Rensselaer county, vice-president; Joseph W. Pincus, editor of the *Jewish Farmer*, secretary; and Samuel Kleinfeld of Norma, N. J., treasurer.

A telegram of congratulation was read from twenty Jewish agricultural students at Cornell University. It was voted to send a message of thanks by mail to these Jewish farmers of the future.

At the same meeting which will be held at Cornell University, it was voted to send a message of thanks by mail to these Jewish farmers of the future.

The speakers will be Mr. Kleinfeld, who represents the second generation in Jewish farming and who will speak on "Farming as a Paying Business"; J. P. Grossman, whose subject will be "The Farmer and the Workingman"; and Mr. Hein, who will speak on "The Farmer and Health."

G. H. NEWCOMB SENT TO PRISON.

As "J. E. Turner" He Gave the Hotel Empire a Bad \$50 Draft.

George H. Newcomb, at one time a broker and said to have been at the head of the firm of W. R. Vernilye & Co., an alleged bucket shop concern which collapsed in a bull market several years ago, was sentenced in the Court of Special Sessions yesterday to serve three months in the penitentiary for giving a worthless draft for \$50 to the Hotel Empire in payment of a board bill.

The draft Newcomb gave to the hotel was drawn on the Real Estate Loan and Banking Company of Boston, Joseph Granger, chief probation officer of the court, was sent to Boston to look up the concern and ascertain how Newcomb had stood with it. Granger reported that at 110 State street he found a man named Granger, who said he was the president, secretary and treasurer and sergeant at arms of the banking company.

The assets, so far as Granger could see, consisted of a desk and a rubber stamp, and a chair which Granger marked with a "G." Granger said that he had accepted the draft, that it was not unusual for him to "accept" drafts for persons who had no money on deposit with him.

Granger then asked the drafter to whom the drafts are given to get their money? Granger asked.

"They can sue me," Granger is said to have answered.

Newcomb was known at the Hotel Empire as J. Edward Turner. It was said that at one time he was a member of the 103rd Broadway, Brooklyn, and of the Seventh Regiment.

His lawyer told the court that he came of a good family in Eastport, Me., and that he had been in the army, where he was in charge of the detail at the house, and that he ordered it back. He said that Sheppard had told him that he didn't know the girl.

Sheppard told Capt. John "Tommy" Wormald the same thing when they returned from his vacation on the morning of July 23, hurried to the park. Capt. Wormald said that he took Sheppard to Inspector Husey's office, at 133 Broadway, Brooklyn, where he made his confession before himself and Capt. Carey, following Inspector Husey's charge that he knew more of the affair than he was telling.

Justice Crane said, "Yes, she shot herself with my gun."

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O. A. HAUPTNER THREATENED.

Mrs. Fannie A. Waring Johnson Accused of Writing Violent Letters.

Mrs. Fannie A. Waring Johnson of 545 St. Nicholas avenue was held in \$1,000 bail in Jefferson Market court yesterday for examination to-day on a charge of threatening to kill Oscar A. Hauptner of 52 West Thirty-fourth street, a shirt manufacturer. It is alleged that Mrs. Johnson has threatened various times to kill the entire Hauptner family as well as her divorced husband, Daniel W. Johnson, formerly a Maiden Lane jeweler. The complainant is Miss Bertha Hauptner, the shirt man's sister.

Mr. Hauptner has received many threatening letters from Mrs. Johnson. The last one, which arrived on January 1, said: "I shall most willingly kill you all, Oscar A. Hauptner, Daniel W. Johnson, Bertha A. Hauptner, Anna V. Hauptner."

The remainder of the letter was mostly incoherent and told of wrongs and the "inspiring of an unfortunate marital alliance."

Mr. Hauptner told the court that Mrs. Johnson and her husband formerly lived near the Hauptners in Yonkers. He said that Mrs. Johnson after her divorce from Daniel W. Johnson, had written Mr. Hauptner for \$20,000, which she said belonged to her children.

Mrs. Johnson was well dressed and well tired, but talked somewhat vaguely in court. She has two sons and a married daughter. One of the sons, 19 years old, lives with her.

PRISON TERMS TANDEN.

Kellogg of Dean Syndicate Didn't Serve Two at Once.

Justice Blanchard in the Supreme Court decided yesterday that James B. Kellogg, who has been in Sing Sing since 1900 because of his affiliation with the Dean Syndicate, cannot offset his Federal court sentence against the time which was meted out to him in General Sessions. He got eighteen months in the Federal court for violating the postal laws and seven and a half years in General Sessions for larceny. He was sentenced to the Federal court for violating the postal laws and seven and a half years in General Sessions for larceny. He was sentenced to the Federal court for violating the postal laws and seven and a half years in General Sessions for larceny.

Justice Blanchard holds that the sentences run in succession and not concurrently.

HOME DYNAMITE THRIFF.

Italian at Lodi, N. J., Blown Out of Bed—His Place Burned.

HACKENSACK, N. J., Jan. 19.—For the third time in three years Joseph Petrulla's home and hotel in Lodi was dynamited early this morning. Petrulla is well known in Bergen county and has been successful.

At 3 A. M. an explosion threw him out of bed. Petrulla barely escaped with his life. The escape with their lives. The place, which is in the heart of an Italian settlement in Lodi, where all sorts of desperate acts have been committed, and the ground, if Petrulla has any suspicions he hasn't mentioned them to the authorities.

Overcoat Sale.

Formerly \$30, \$35, \$38

ONLY one reason for such a drop in prices—stock reduction. Does a saving of \$7.50 to \$15.50 appeal to you? The coats will, that we promise. Not an old one among them. Blacks, Oxfords, Mixtures, in the model illustrated, also fancy belted coats.

Fur Lined Overcoats

\$75 and \$95 qualities at \$65

\$125 " 150 " 95

\$175 " 200 " 120 to 128

New York Broadway at Warren St. Brooklyn Fulton St. at Flatbush Ave.

Brooklyn Broadway at Bedford Ave.

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Smith Gray

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